

REMARKS

Applicant has reviewed and considered the Office Action dated December 3, 2001. In response thereto, claim 21 is amended.

However the ".....to allow air flow in and out of the tray and ventilate under the pot body thoroughly" is being written in the claim 21 or not, air always flow thoroughly under the pot body because the clearance/ distance was being disposed there in the figures.

Claims 8, 20 and 21 are rejected under 35 U.S.C. 103(a) as being anticipated by Moskowitz and Worrell. Applicant respectfully traverses the rejection for the following reasons. Moskowitz does not disclosed the legs extending from the bottom wall of the pot separately. Moskowitz disclosed " Integrally extending from the bottom wall 18 is a pedestal 22 having three legs 24 arrayed in the sharp of a Y. the legs 24 of the pedestal are hollow and thereby provide an interconnected chamber connecting with the hollow pot for dirt and plant roots to grow therein." (column 2, lines 43 to 48). Also, Moskowitz claimed ".....a hollow pedestal retaining at lease a portion of the plant roots within the base section said pedestal being in the sharp of a Y." (column 3, lines 66 to 67 and column 4, lines 1 to 2). In Moskowitz's invention: 1. The legs 24 are interconnected; 2. ".....provide an interconnceted chamberfor..... plant roots to grow therein." In the present invention: 1. The legs are never being interconnceted; 2. Plant roots can rarely grow down to the bottom of the legs. Clearly, either the structures or the functions are different in the two inventions.

Further, Worrell disclosed a flower pot which is to avoid the plant rotting by excessive water only. That is not a self watering pot apparatus, or say the apparatus does

not show or describe the above discussed features in claim 8. Also, there is no motivation or suggestion to combine Moskowitz with Worrell. Worrell discloses an entirely different type of flower pot from Moskowitz. Thus, Applicant respectfully submits that claims 8, 20 and 21 are patentable over Moskowitz and Worrell.


Claims 8, 20 and 21 are also rejected under 35 U.S.C. 103(a) as being anticipated by Gautrot and Worrell. Applicant respectfully traverses the rejection for the following reason. Gautrot does not disclose the tubes 25, 33 and 45 having a bottom wall. In present invention, the leg(s) having a bottom wall. Clearly, the leg(s) in present invention is different with the tube which Gautrot disclosed. The tubes in Gautrot's invention look more like the tube apertures in Shackelford's invention. Thus, Applicant respectfully submits that claims 8, 20 and 21 are patentable over Gautrot and Worrell.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph. Applicant respectfully traverses the rejection for the following reason. The tray which discribed in claim 21 is a part of the pot claimed in the claim 20. While the pot being used inside of building, the tray must be accompanied with the pot to reserve water for plant use, while the pot being used in greenhouse, plastic film or others material maybe instead of the tray to hold water.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

5800 Maudina Ave.
Apt. C-2
NASHVILLE, TN 37209
Phone(fax)615-356-3211

Respectfully submitted

By: 
Jianhua Fan
Applicant
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